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C O N F I D E N T I A L SECTION 01 OF 02 KABUL 000460

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SUBJECT: TRIBAL VENGEANCE AND HONOR IN THE MOUNTAINS OF
DAR-I-NOOR

Classified By: PRT Director Valerie C. Fowler for reasons 1.4 (b) and (d)

Summary

1. (C) On February 7, Nangarhar's Provincial Council (PC) Secretary was shot and killed, and the Goshta district administrator was killed by a roadside bomb. A Taliban spokesman took credit for both attacks. After the PC Secretary was killed, hundreds of local villagers mobilized to find the gunmen. One was shot dead as he fled; the other was detained by residents, who refused to turn him over to police. Among those who refused to cooperate with police were prominent local and national officials who were relatives of the murdered PC member. The detained suspect was hanged later that day, apparently by the victim's relatives and/or local residents. The revenge killing is an example of the ancient Pashtunwali Code being put into practice. Even if prominent community leaders did not take a direct part in the killing of the suspect, their refusal to hand him over to the proper authorities reveal how deeply-ingrained tribal customs are in some parts of Afghanistan.

Murder and Revenge

2. (C) Nangarhar PC Secretary Qazi Khan Mohammad Malik Baba, the third-highest ranking member of the province's top elected body, was shot and killed in an early-morning ambush while driving past an orchard in his native Dar-i-Noor district. The ambush took place in the heart of Nangarhar's close-knit ethnic-minority Pashai community. The murdered PC member was Pashai. Dar-i-Noor District Administrator Mashuq Malim, also a Pashai, said he arrived on the scene minutes after the killing, and told us that hundreds of armed villagers arrived on the scene to search for the suspects. They were followed by police, and then local officials. These included: PC Chair Fazil Hadi Muslimyar; Head of the Provincial Coordination Center, Police Colonel Ibadullah Talawar; Nangarhar Deputy Head of the National Directorate for Security (NDS), Colonel Arif; and the district administrator from adjacent Kuz Kunar district, Shukrullah Durani. They found the two suspects, one of whom tried to run but was shot. The second suspect, later identified as Ajmal, surrendered. Both suspects were ethnic Pashtuns from Shaga village in Kuz Kunar district, who had ventured into the mostly-Pashai Dar-i-Noor.

The King of Dar-i-Noor

3. (C) Within minutes of detaining Ajmal, the much larger

crowd refused to allow officials to take the suspect into custody, saying they did not trust the Afghan judicial system and that the courts would eventually set him free. Officials and police allowed the residents to keep the suspect. "The crowd was very angry and the police did the only thing they could do," Nangarhar Governor Gul Agha Sherzai said, during a meeting of provincial security officials the next day. Sherzai and various officials confirmed that the crowd was led by prominent Pashai tribal leader Malik Gul Mohammad Malik Baba (MGM), often referred to as "the King of Dar-i-Noor." Malik Gul Mohammad is the slain PC member's uncle, and a member of the National Security Council. Several local officials, including the Dar-i-Noor district administer, told us that they witnessed the suspect being tortured. PC Chair Muslimyar said he pleaded with MGM to allow authorities to take custody of the suspected killer. Governor Sherzai also said he had secured a promise that the suspect would be released to the proper authorities.

¶4. (C) That evening Dar-i-Noor District Administrator Mashuq Malim received a call from a friend, telling him that the detainee had been killed and that his body had been dumped in a nearby field. A post-mortem examination revealed that the suspect, Ajmal, had been hanged. The extra-judicial killing is under investigation, the deputy police chief said. He added, "I cannot believe that Malik Gul Mohammad) someone who is working for such an important organization with the government) could be involved in such activity."

Comment

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¶5. (C) The swift mobilization of Pashai villagers in Dar-i-Noor to hunt for the suspected killers shows a type of rough, mountain "civil society." It is the type of close-knit community cooperation which developed from centuries of being a minority people surrounded by others, in an area which historically has been isolated from official police protection and other governmental services. Nangarhar University Professor Shah Wali told us that the revenge killing in Dar-i-Noor is also a perfect example of the Pashtunwali Code being put into practice. Although the Pashai are not ethnic Pashtun, they adhere to the Pashtunwali Code, which has guided social behavior in the region since before Islam, and dates back to the Bactrian era. The word "Badal," or revenge, is shared by both Pashtuns and Pashai. Badal requires a family) especially a prominent one) to kill someone guilty of murdering one of their own as quickly as possible. It is a matter of defending the family's honor, Professor Shah Wali said. The alleged complicity in the suspect's detention and killing by prominent community members and government officials shows how family and tribal loyalties can predominate over notions such as rule of law. Even if those prominent community leaders did not take a direct part in the killing) police are still investigating and have not determined who killed the suspect) their refusal to hand him over to the proper authorities reveals how deeply-ingrained are tribal customs in some parts of Afghanistan.
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